

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**KIM STANLEY KOCHER,**

**Plaintiff,**

**vs.**

**Case No.: 2:14-cv-2263  
JUDGE GEORGE C. SMITH  
Magistrate Judge Kemp**

**COMMISSIONER OF SOCIAL SECURITY,**

**Defendant.**

**ORDER**

On November 20, 2015, the United States Magistrate Judge issued a *Report and Recommendation* recommending that Plaintiff's statement of errors be overruled and that judgment be entered in favor of the Defendant, the Commissioner of Social Security. (*See Report and Recommendation*, Doc. 19). This matter is now before the Court on Plaintiff's Objections to the Magistrate Judge's *Report and Recommendation*. (Doc. 20). The Court will consider the matter *de novo*. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3).

Plaintiff's objections basically restate the arguments she already made in the Statement of Errors. However, Plaintiff also asserts that the Magistrate Judge's analysis of the issues is flawed for several reasons. Plaintiff objects to the Magistrate Judge's finding that "[t]he ALJ clearly resolved, at least implicitly, any conflict here in favor of the vocational expert," arguing it is confusion and inconsistent. The Court disagrees. Further, Magistrate Judge Kemp's reliance on *Rabbers v. Comm'r of Social Security*, 582 F.3d 647, 656 (6th Cir. 2009), in support of his position that the ALJ's failure to be more explicit was simply an articulation error was not in

error. The Court agrees with the Magistrate Judge's analysis of the issues raised in the statement of errors. Therefore, Plaintiff's issues have been thoroughly considered and overruled in the *Report and Recommendation*. Further this Court has carefully considered Plaintiff's objections, and for the reasons stated in the *Report and Recommendation*, this Court finds that the objections are without merit.

Accordingly, the *Report and Recommendation*, Document 19, is **ADOPTED** and **AFFIRMED**. Plaintiff's Objections are hereby **OVERRULED**. Plaintiff's Statement of Errors are hereby **OVERRULED**, and the decision of the Commissioner of Social Security is **AFFIRMED**.

The Clerk shall remove Documents 19 and 20 from the Court's pending motions list, and enter final judgment in favor of Defendant, the Commissioner of Social Security.

**IT IS SO ORDERED.**

/s/ George C. Smith  
**GEORGE C. SMITH, JUDGE**  
**UNITED STATES DISTRICT COURT**